

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RETIRE PARTNERS OF COUDERT BROTHERS  
TRUST,

No. 07 CIV. 5639 (GEL)

Plaintiff,

-against-

ERIC P. DELTOUR, LANCE MILLER, DARRELL  
PRESCOTT, CLYDE RANKIN, CHRISTOPHER  
STEPHENS, JIGZHOU TAO, EDWARD TILLINGHAST,  
ANTHONY WILLIAMS, ANDREW HEDDEN,  
FREDERICK KONTA, BAKER & MCKENZIE LLP,  
ORRICK HERRINGTON & SUTCLIFFE, DLA PIPER,  
and DECHERT LLP,

Defendants.

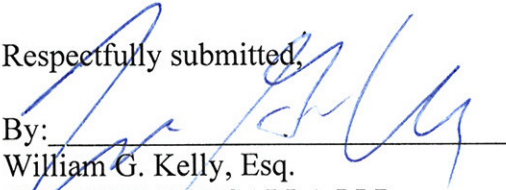
---

**NOTICE OF MOTION FOR PRO HAC VICE ADMISSION**

**PLEASE TAKE NOTICE** that the upon the Affidavit of William G. Kelly, Esq. sworn to on July 19, 2007, and the supporting Affidavit of John E. Joiner, Esq., sworn to on July 18, 2007, Defendant DLA PIPER, by and through its attorneys, Goldberg Segalla, LLP, hereby move this Honorable Court, for an Order pursuant to Local Rule 1.3 (c), for the admission to this Court of John E. Joiner, *pro hac vice*, and for such other and further relief as the Court may deem just and proper.

Dated: White Plains, New York  
July 19, 2007

Respectfully submitted,

By:   
William G. Kelly, Esq.  
GOLDBERG SEGALLA LLP  
*Attorneys for Defendants*  
**DLA PIPER**

170 Hamilton Avenue, Suite 203  
White Plains, New York 10601  
(914) 798-5400  
GS File No: 16913.0002

TO: *See Attached Service List*

**SERVICE LIST**

Thomas B. Decea, Esq.  
DANZIG FISHMAN & DECEA  
*Attorneys for Plaintiff*  
**Retired Coudert Brothers Trust**  
One North Broadway, Suite 1202  
White Plains, New York 10601  
(914) 285-1400

**Eric P. Deltour, Esq.**  
Dechert LLP  
30 Rockefeller Plaza, 23rd Floor  
New York, New York 10112

**Lance Miller, Esq.**  
DLA Piper  
1251 Avenue of the Americas  
New York, New York 10020

**Darrell Prescott, Esq.**  
Baker & McKenzie LLP  
1114 Avenue of the Americas  
New York, New York 10036

**Clyde E. Rankin, III, Esq.**  
Orrick Herrington & Sutcliffe  
666 Fifth Avenue  
New York, New York 10103

**Christopher H. Stephens, Esq.**  
Orrick Herrington & Sutcliffe  
666 Fifth Avenue  
New York, New York 10103

**Jingzhou Tao, Esq.**  
DLA Piper  
1251 Avenue of the Americas  
New York, New York 10020

**Edward H. Tillinghast, III, Esq.**  
Sheppard Mullin Richter & Hampton  
30 Rockefeller Plaza, Suite 2400  
New York, New York 10112

**Anthony Williams, Esq.**  
Baker & McKenzie LLP  
1114 Avenue of the Americas  
New York, New York 10036

**Andrews S. Hedden, Esq.**  
Baker & McKenzie LLP  
1114 Avenue of the Americas  
New York, New York 10036

**Frederick P. Konta, Esq.**  
Baker & McKenzie LLP  
1114 Avenue of the Americas  
New York, New York 10036

Barbara Moses , Esq.  
Gregory Robert Morvillo, Esq.  
Robert Guy Morvillo, Esq.  
***Attorneys for Defendant***  
**Baker & McKenzie LLP**  
Morvillo, Abramowitz, Grand, Iason, Anello & Bohrer, P.C  
565 Fifth Avenue  
New York, NY 10017  
(212) 880-9540

**Orrick Herrington & Sutcliffe**  
666 Fifth Avenue  
New York, New York 10103

**Dechert LLP**  
30 Rockefeller Plaza, 23rd Floor  
New York, New York 10112

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

RETIRED PARTNERS OF COUDERT BROTHERS  
TRUST,

Plaintiff,

-against-

ERIC P. DELTOUR, LANCE MILLER, DARRELL  
PRESCOTT, CLYDE RANKIN, CHRISTOPHER  
STEPHENS, JIGZHOU TAO, EDWARD  
TILLINGHAST, ANTHONY WILLIAMS, ANDREW  
HEDDEN, FREDERICK KONTA, BAKER &  
MCKENZIE LLP, ORRICK HERRINGTON &  
SUTCLIFFE, DLA PIPER, and DECHERT LLP,

Defendants.

---

No. 07 CIV. 5639 (GEL)

**AFFIDAVIT**  
**IN SUPPORT**

WILLIAM G. KELLY, ESQ., an attorney duly admitted to practice law before the Court of the State of New York hereby affirms the following under the penalties of perjury:

1. I am a partner with the law firm of GOLDBERG SEGALLA LLP, attorneys for Defendant DLA PIPER, and as such I am fully familiar with the facts and circumstances of the within action.

2. This affidavit is made pursuant to Local Rule 1.3 (c), in support of the application for admission *pro hac vice* to the United States District Court for the Southern District of New York, of petitioner, John E. Joiner, Esq., for the purposes of representing defendant DLA PIPER.

3. I have been a member of good standing of the bar of the State of New York since February 1978, and the United States District Court for the Southern District of New York since April 1978.

4. John E. Joiner is a member in good standing of the Bar of the District of Columbia. He has been admitted to State and Federal Courts in the District of Columbia, the State of Colorado, as well as the US Court of Appeals for the Tenth Circuit and the United States Supreme Court.

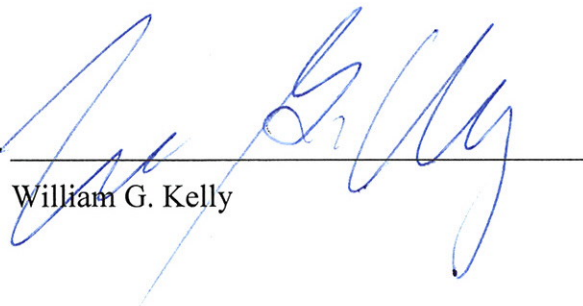
5. The Affidavit of John E. Joiner is annexed hereto as **Exhibit "A"** and submitted in support of the application for his admission *pro hac vice*.

6. Attorney John E. Joiner possesses the character, fitness and moral qualifications necessary to practice law before this Court.

7. Defendant DLA PIPER seeks admission *pro hac vice* of attorney John E. Joiner to assist New York counsel, Goldberg Segalla LLP, in its defense of this action during the pendency of the action before this Court.

**WHEREFORE**, Defendant DLA PIPER requests an Order granting attorney John E. Joiner admission *pro hac vice*.

Dated: White Plains, New York  
July 19, 2007



William G. Kelly

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW YORK  
SOUTHERN DISTRICT

---

RETIRED PARTNERS OF COUDERT BROTHERS  
TRUST,

No. 07 CIV. 5639 (GEL)

Plaintiff,

-against-

**{PROPOSED} ORDER**

ERIC P. DELTOUR, LANCE MILLER, DARRELL  
PRESCOTT, CLYDE RANKIN, CHRISTOPHER  
STEPHENS, JIGZHOU TAO, EDWARD TILLINGHAST,  
ANTHONY WILLIAMS, ANDREW HEDDEN,  
FREDERICK KONTA, BAKER & MCKENZIE LLP,  
ORRICK HERRINGTON & SUTCLIFFE, DLA PIPER,  
and DECHERT LLP,

Defendants.

---

Defendant DLA PIPER, having moved this Court for an Order, pursuant to Local Rule 1.3 (c) for admission of John E. Joiner to this Court, *pro hac vice*, and said motion having been submitted for the Court's consideration,

NOW, upon reading and filing the Notice of Motion of Defendant DLA PIPER dated July 19, 2007, the Affidavit of William G. Kelly, Esq., sworn to on the 19th day of July 2007, the Affidavit of John E. Joiner, Esq., sworn to on the 18th day of July 2007, attached as exhibits thereto in support of said motion, and there being no opposition thereto, it is hereby

**ORDERED** that the motion of Defendant DLA PIPER is hereby GRANTED; and it is further

**ORDERED** that John E. Joiner, Esq. is granted admission *pro hac vice* to represent Defendant DLA PIPER before this Court during the pendency of this matter.

GRANTED:

---

HON. \_\_\_\_\_, J.S.C.